

10/594891
IAP5 Rec'd PCT/PTO 29 SEP 2006

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q97096

Eiji AKIYAMA, et al.

PCT/JP2005/006248

-filed March 31, 2005

Appln. No.: Not assigned yet

Confirmation No.: Not assigned yet

Group Art Unit: Not assigned yet

Filed: September 29, 2006

Examiner: Not assigned yet

For: A FUEL CELL

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98

MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

1. Japanese Patent Application Publication No. 2002-216823, published August 2, 2002;
2. Japanese Patent Application Publication No. 2003-331884, published November 21, 2003;
3. Japanese Patent Application Publication No. 2001-229942, published August 24, 2001;
4. Japanese Patent Application Publication No. 48-16222, published March 1, 1973 and
5. Japanese Patent Application Publication No. 58-92651, published June 23, 1983.

One copy of each of the listed documents is submitted herewith.

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INFORMATION DISCLOSURE STATEMENT
U.S. Appln. to Eiji AKIYAMA et al.

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The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicants encloses herewith a copy of an International Search Report citing documents 2- 5, indicating the degree of relevance found by the foreign patent office.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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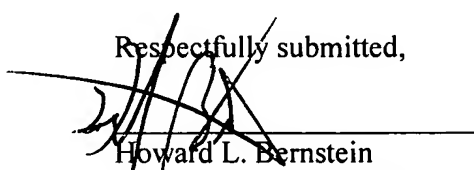
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23373

CUSTOMER NUMBER

Date: September 29, 2006

Respectfully submitted,


Howard L. Bernstein
Registration No. 25,665

Substitute for Form 1449 A & B/PTO <u>INFORMATION DISCLOSURE</u> <u>STATEMENT BY APPLICANT</u> <i>(use as many sheets as necessary)</i>				Complete if Known		
				Application Number	Not assigned yet	
				Confirmation Number	Not assigned yet	
				Filing Date	September 29, 2006	
				First Named Inventor	Eiji AKIYAMA	
				Art Unit	Not assigned yet	
Examiner Name	Not assigned yet					
Attorney Docket Number	Q97096					
Sheet	1	of	1			

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code ² (if known)		
		US			
		US			
		US			
		US			
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FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)			
		JP	2002-216823	A	08-02-2002		
		JP	2003-331884	A	11-21-2003		
		JP	2001-229942	A	08-24-2001		
		JP	48-16222		03-01-1973		
		JP	58-92651	U	06-23-1983		

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation ⁶

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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kind Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or follow the hyperlink from the title of the document to the intranet. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to indicate here if English language Translation is attached.